

ORIGINAL

FILED IN CHAMBERS
U.S.D.C. Atlanta

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

DEC 5 2017

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

UNITED STATES OF AMERICA

v.

MICHAEL MILLER,
GIOVANNI CARTIER A/K/A
"RIQ" CARTIER,
ERIC FARRINGTON III,
MELVIN GOODE,
KIRK EVANS, AND
VLADIMIR MARCELLUS

Criminal Indictment

No.

1:17-CR-0428

THE GRAND JURY CHARGES THAT:

Count One
(Bank Fraud Conspiracy)

1. From on or about July 15, 2013, through on or about October 2017, in the Northern District of Georgia and elsewhere, the Defendants, MICHAEL MILLER, GIOVANNI CARTIER a/k/a "RIQ" CARTIER, ERIC FARRINGTON III, MELVIN GOODE, KIRK EVANS, and VLADIMIR MARCELLUS, did combine, conspire, confederate, agree, and have a tacit understanding with each other and others unknown to the Grand Jury, to knowingly execute and attempt to execute a scheme and artifice to defraud financial institutions, the deposits of which were federally insured, by means of materially false and fraudulent pretenses, representations, and

promises, as well as by omission of material facts, with intent to defraud, in violation of Title 18, United States Code, Section 1344(1).

Background

2. The Federal Deposit Insurance Corporation (“FDIC”) is a federal agency that insures the deposits of accountholders at member banks.

3. The National Credit Union Share Insurance Fund is a federal fund that insures the deposits of accountholders at member credit unions.

4. USAA Federal Savings Bank (“USAA”) is a financial institution with accounts insured by the FDIC.

5. Digital Federal Credit Union (“DFCU”) is a financial institution with accounts insured by the National Credit Union Share Insurance Fund.

6. Pentagon Federal Credit Union (“PFCU”) is a financial institution with accounts insured by the National Credit Union Share Insurance Fund.

7. Affinity Federal Credit Union (“AFCU”) is a financial institution with accounts insured by the National Credit Union Share Insurance Fund.

8. Air Force Federal Credit Union (“AFFCU”) is a financial institution with accounts insured by the National Credit Union Share Insurance Fund.

9. NASA Federal Credit Union (“NFCU”) is a financial institution with accounts insured by the National Credit Union Share Insurance Fund.

Manner and Means

10. The Defendants, MICHAEL MILLER, GIOVANNI CARTIER a/k/a “RIQ” CARTIER, ERIC FARRINGTON III, MELVIN GOODE, KIRK EVANS, and VLADIMIR MARCELLUS, executed an automobile loan scheme that involved (i) creating and causing to be created shell corporations to pose as automobile dealerships, (ii) submitting and causing to be submitted false automobile loan applications to financial institutions for the purchases of vehicles from the shell corporations, (iii) obtaining and seeking to obtain funds from financial institutions through materially false and fraudulent pretenses, representations, and promises, as well as by omissions of material fact, and (iv) disbursing certain fraudulently obtained funds amongst the conspirators.

A. Incorporation of Shell Corporations

11. Defendants MICHAEL MILLER, GIOVANNI CARTIER a/k/a “RIQ” CARTIER, ERIC FARRINGTON III, and MELVIN GOODE formed, caused to be formed, modified, and caused to be modified shell corporations through the Georgia Secretary of State. For example:

- a. On or about October 13, 2015, MILLER formed and caused to be formed the corporation Platinum Motors Auto Sales, LLC (“Platinum”), through the Georgia Secretary of State.
- b. On or about February 26, 2016, MILLER formed and caused to be formed the corporation 5 Star Motorsports, LLC (“5 Star”), through the Georgia Secretary of State.
- c. On or about July 20, 2016, CARTIER formed and caused to be formed the corporation Prestige Exotic motorcars LLC, through the Georgia Secretary of State.
- d. On or about August 9, 2016, GOODE amended and caused to be amended the name of the corporation Prestige Exotic motorcars LLC, to Prestige Exotic Motorcar LLC (“Prestige Exotic”) through the Georgia Secretary of State.
- e. On or about April 20, 2017, FARRINGTON III amended and caused to be amended the name of the corporation

Prestige Exotic Motorcar LLC to Prestige Exotic MotorCar Group, LLC, through the Georgia Secretary of State.

- f. On or about May 9, 2017, FARRINGTON III formed and caused to be formed the corporation Exotic Performance Motorcars Group, LLC (“Exotic Performance”), through the Georgia Secretary of State.

B. Submission of Fraudulent Loan Applications to Financial Institutions

12. The Defendants, MICHAEL MILLER, GIOVANNI CARTIER a/k/a “RIQ” CARTIER, ERIC FARRINGTON III, MELVIN GOODE, KIRK EVANS, and VLADIMIR MARCELLUS, and others known and unknown applied for and caused others to apply for automobile loans at financial institutions.

13. The loan application documents submitted to the financial institutions contained materially false statements regarding the vehicles to be purchased and the dealerships from which the vehicles were to be purchased. Among other things, the dealerships listed as the sellers of the automobiles for which loans were sought were the shell corporations created and maintained by Defendants MICHAEL MILLER, GIOVANNI CARTIER a/k/a “RIQ” CARTIER, ERIC FARRINGTON III, and MELVIN GOODE, and the automobiles to be

purchased listed in the loan applications were not actually being sold by those corporations.

14. In instances where the financial institution approved the automobile loan and issued a check or wire, the fraudulently obtained automobile loan funds were deposited into bank and brokerage accounts controlled by the Defendants.

**C. Use of Financial Institution Accounts to Deposit
Fraudulently Obtained Automobile Loan Proceeds**

15. Defendants MICHAEL MILLER, MELVIN GOODE, and ERIC FARRINGTON III opened and caused to be opened brokerage and bank accounts into which the fraudulently obtained automobile loan proceeds were deposited. For example:

- a. On or about March 15, 2016, MILLER opened and caused to be opened a brokerage account ending in 6429 with TD Ameritrade, Inc. in the name of 5 Star Motorsports LLC.
- b. On or about March 28, 2016, MILLER opened and caused to be opened a brokerage account ending in 8462 with Scottrade in the name of 5 Star Motor Sport LLC.
- c. On or about July 27, 2016, GOODE added and caused to be added the name 5 Star Motors Corp to the Charles Schwab Corporation brokerage account held in the name of ZMB Group US International Corp. ending in 8329.

- d. On or about September 19, 2016, GOODE added and caused to be added the name Prestige Exotic Motorcars to the account name for the Charles Schwab Corporation brokerage account ending in 8329.
- e. On or about June 12, 2017, FARRINGTON III opened and caused to be opened a bank account ending in 7213 with BB&T Bank in the name of Exotic Performance Motorcars Group, LLC.

D. Submission of Fictitious Payments by Vladimir Marcellus

16. In some instances, Defendant VLADIMIR MARCELLUS submitted and caused to be submitted to financial institutions fictitious U.S. Treasury money orders as purported payment for fraudulently obtained automobile loans. The fictitious U.S. Treasury money orders were actually worth nothing.

All in violation of Title 18, United States Code, Section 1349.

**Counts Two through Nine
(Bank Fraud)**

17. The Grand Jury re-alleges and incorporates by reference the factual allegations contained in paragraphs 2 through 16 of this Indictment as if fully set forth herein.

18. On or about the dates set forth in the table below, in the Northern District of Georgia and elsewhere, the defendants listed in the table below, aided and abetted by each other and others unknown to the Grand Jury, with the intent to defraud and for the purpose of executing the scheme and artifice to defraud financial institutions described above in Count One, knowingly caused the automobile loans listed in the table below to be issued, and did make and cause to be made materially false and fraudulent pretenses, representations, and promises, and material omissions, which the defendants knew to be false and fraudulent at the time they were made:

Count	Defendant(s)	Date	Financial Institution	Loan Amount	Borrower Name	Shell Corporation
2	CARTIER, MILLER, MARCELLUS	11/20/15	DFCU	\$45,018	MARCELLUS	Platinum
3	CARTIER, MILLER, MARCELLUS	11/23/15	NFCU	\$44,998	MARCELLUS	Platinum
4	CARTIER, MILLER, EVANS	7/21/16	AFCU	\$25,148	EVANS	5 Star
5	CARTIER, MILLER, EVANS	7/22/16	PFCU	\$25,399	EVANS	5 Star
6	CARTIER, MILLER, EVANS	8/16/16	AFCU	\$49,950	P.P.	5 Star
7	CARTIER, GOODE	11/17/16	DFCU	\$25,015	C.W.	Prestige Exotic

Count	Defendant(s)	Date	Financial Institution	Loan Amount	Borrower Name	Shell Corporation
8	CARTIER, GOODE	12/19/16	USAA	\$50,000	J.C.	Prestige Exotic
9	FARRINGTON III, CARTIER	5/30/17	AFFCU	\$31,236	J.K.	Exotic Performance

In violation of Title 18, United States Code, Sections 1344(1) and 2.

Forfeiture

19. Upon conviction for one or more of the offenses alleged in this Indictment, the Defendants, MICHAEL MILLER, GIOVANNI CARTIER a/k/a “RIQ” CARTIER, ERIC FARRINGTON III, MELVIN GOODE, KIRK EVANS, and VLADIMIR MARCELLUS, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(2)(A), any and all property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly, as a result of such offenses, including, but not limited to, a sum of money equal to the amount of proceeds the defendants obtained as a result of the offenses.

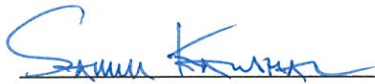
20. If, as a result of any act or omission of the Defendants, MICHAEL MILLER, GIOVANNI CARTIER a/k/a “RIQ” CARTIER, ERIC FARRINGTON III, KIRK EVANS, VLADIMIR MARCELLUS, and MELVIN GOODE, any property subject to forfeiture: cannot be located upon the exercise of due diligence; has been transferred or sold

to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, the United States intends, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c) and 18 U.S.C. § 982(b), to seek forfeiture of any other property of such defendant up to the value of the forfeitable property.

A TRUE BILL

FOREPERSON

BYUNG J. PAK
United States Attorney



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